

*This Agenda contains a brief general description of each item to be considered. Copies of the Staff reports or other written documentation relating to each item of business referred to on the Agenda are on file in the Office of the City Clerk and are available for public inspection. Any person who has a question concerning any of the agenda items may call the City Manager at (310) 603-0220, ext. 200.*

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY  
TO THE DISSOLVED LYNNWOOD REDEVELOPMENT AGENCY**

**A G E N D A**

**REGULAR MEETING  
DECEMBER 1, 2015  
3:00 P.M.**

**COUNCIL CHAMBERS  
LYNNWOOD CITY HALL  
11330 BULLIS ROAD, LYNNWOOD, CA 90262**

*Agenda Posted*  
**RECEIVED**

**NOV 19 2015**

**CITY OF LYNNWOOD  
CITY CLERK'S OFFICE**  
*Maria Gunning  
City Clerk*

**LUIS VALENZUELA  
CHAIR**

**DR. KEITH CURRY  
VICE CHAIR**

**J. ARNOLDO BELTRÁN  
BOARD MEMBER**

**MICHELLE BANKS-ORDONE  
BOARD MEMBER**

**MALCOM BENNETT  
BOARD MEMBER**

**BRUNO NAULLS  
BOARD MEMBER**

**OPENING CEREMONIES**

1. CALL TO ORDER
2. CERTIFICATION OF AGENDA POSTING BY CITY CLERK
3. ROLL CALL OF BOARD MEMBERS

Michelle Banks-Ordone  
J. Arnoldo Beltrán  
Malcolm Bennett  
Bruno Naulls  
Dr. Keith Curry  
Luis Valenzuela

4. PLEDGE OF ALLEGIANCE
5. PRESENTATIONS

**PUBLIC ORAL COMMUNICATIONS**  
(Regarding Agenda Items Only)

**NON-AGENDA PUBLIC ORAL COMMUNICATIONS**

THIS PORTION PROVIDES AN OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE OVERSIGHT BOARD ON ITEMS WITHIN THE JURISDICTION OF THE OVERSIGHT BOARD AND NOT LISTED ON THE AGENDA. IF AN ITEM IS NOT ON THE AGENDA, THERE SHOULD BE NO SUBSTANTIAL DISCUSSION OF THE ISSUE BY THE BOARD, BUT THE BOARD MAY REFER THE MATTER TO THE STAFF OR SCHEDULE SUBSTANTIVE DISCUSSION FOR A FUTURE MEETING. (The Ralph M. Brown Act, Government Code Section 54954.2 (a) (fourteen))

**NEW BUSINESS**

6. MINUTES OF PREVIOUS MEETINGS:  
Special Meeting of September 22, 2015
  
7. APPROVAL FOR THE DISPOSITION AND TRANSFER OF THE YOUTH CENTER LOCATED AT 11409 BIRCH STREET

Comments:

On June 30, 2015, pursuant to Health & Safety Code section 34167.5, the California State Controller ordered, among other things, the return of the Youth Center Parcel to the Successor Agency. This order was in a report by the State Controller's Office auditing the former Lynwood Redevelopment Agency (SCO Report) following the Statewide audits the State Controller's Office conducted of all former redevelopment agencies under ABx1 26, as amended. In conformance with the SCO Report, the City authorized the return of the Youth Center Parcel. Prior to finalization of the City's authorized documentation and long-range property management plan submittal, Successor Agency staff has reached out the State Department of Finance (DOF), a separate government body from the State Controller's Office, and requested guidance to return the Youth Center Parcel to the City as it qualifies as a government use under Health & Safety Code section 34181(a).

Recommendation:

Staff recommends that the Oversight Board to the Lynwood Redevelopment Agency adopt the attached resolution entitled: "A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OVERSIGHT BOARD TO THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE DISPOSITION OF THE YOUTH CENTER PARCEL GRANT DEED UNDER HEALTH & SAFETY CODE SECTION 34181(a), DIRECTING THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY TO TRANSFER THE YOUTH CENTER PARCEL AS A GOVERNMENT PURPOSE UNDER

HEALTH & SAFETY CODE SECTION 34181(a), AND AUTHORIZING THE CHAIRPERSON OF THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY TO SIGN THE YOUTH CENTER PARCEL GRANT DEED ON BEHALF OF THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY AS GRANTOR AND MAYOR OF THE CITY OF LYNWOOD TO ACCEPT THE YOUTH CENTER PARCEL GRANT DEED ON BEHALF OF THE CITY OF LYNWOOD AS GRANTEE."

8. REQUEST FOR THE OVERSIGHT BOARD TO THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY TO APPROVE A RESOLUTION APPROVING THE SUBMITTAL OF THE LONG-RANGE PROPERTY MANAGEMENT PLAN OF THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY TO THE CALIFORNIA DEPARTMENT OF FINANCE AND AUTHORIZE THE EXECUTIVE DIRECTOR OF THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY, OR HIS DESIGNEE, TO FINALIZE, EXECUTE, AND TRANSMIT SAID PLAN AT LEAST FIVE BUSINESS DAYS BEFORE DECEMBER 31, 2015.

Comments:

Under the redevelopment dissolution statute AB X1 26, as amended, and specifically pursuant to Health & Safety Code Section 34191.5, the Successor Agency is required to submit a long-range property management plan at least five business days before December 31, 2015. Staff has been investigating and negotiating with the California Department of Finance. However, with the passage of SB 107 on September 22, 2015, the Successor Agency accelerated its investigation and negotiation and proposed to provide an attached long-range property management plan under Health & Safety Code section 34191.5 (the "LRPMP"). Concurrently with the submittal of the LRPMP, the Successor Agency proposes the submittal of an installment plan ("Installment Plan") and request for finding of completion ("FOC Request") as a separate item. These three items, the Installment Plan, FOC Request, and LRPMP will also be proposed to the Oversight Board to the Successor Agency with a separate request to return of the Youth Center to the City of Lynwood as a government use under Health & Safety Code Section 34181(a).

Recommendation:

Staff recommends that the Members of the Board of Directors of the Oversight Board to the Lynwood Redevelopment Agency Successor Agency (Oversight Board) approve a resolution approving the submittal of the long-range property management plan of the Lynwood Redevelopment Agency Successor Agency to the California Department of Finance and authorize the Executive Director of the Lynwood Redevelopment Agency Successor Agency, or his designee, to finalize, execute, and transmit said plan at least five business days before December 31, 2015.

9. REQUEST FOR THE OVERSIGHT BOARD TO THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY TO APPROVE A RESOLUTION TO PROVIDE AN INSTALLMENT PAYMENT PLAN FOR THE PAYMENT OF OBLIGATIONS UNDER AB X1 26, AS AMENDED, AND REQUEST A FINDING OF COMPLETION FROM THE CALIFORNIA DEPARTMENT OF FINANCE AND AUTHORIZE THE EXECUTIVE DIRECTOR OF THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY, OR HIS DESIGNEE, TO FINALIZE, EXECUTE, AND TRANSMIT THE INSTALLMENT PAYMENT PLAN AND REQUEST FOR FINDING OF COMPLETION UNDER HEALTH & SAFETY CODE SECTIONS 34179.6(h)(3) AND 34191.1 AT LEAST FIVE BUSINESS DAYS BEFORE DECEMBER 31, 2015

Comments:

Under the redevelopment dissolution statute AB X1 26, as amended, and specifically pursuant to Health & Safety Code section 34191.5, 34179.6, and 34179.7, the California State Controller and California Department of Finance ordered, imposed, and demanded certain actions and payments from the Successor Agency. Staff has been investigating and negotiating with the California State Controller and California Department of Finance. However, with the passage of SB 107 on September 22, 2015, the Successor Agency accelerated its investigation and negotiation and proposed to provide an installment payment plan under Health & Safety Code section 34179.6(h)(3) (the "Installment Plan") and request a finding of completion under Health & Safety Code section 34191.1 and the postcompliance provisions of Chapter 9 of Part 1.85 of Division 24 of the Health & Safety Code ("FOC Request"). Concurrently with the submittal of the Installment Plan and FOC Request, the Successor Agency proposes a submittal of a long-range property management plan ("LRPMP") which is a separate item. These three items, the Installment Plan, FOC Request, and LRPMP will also be proposed to the Oversight Board to the Successor Agency with a separate request to return of the Youth Center to the City of Lynwood as a government use under Health & Safety Code section 34181(a).

Recommendation:

Staff recommends that the Members of the Board of Directors of the Oversight Board to the Lynwood Redevelopment Agency Successor Agency (Oversight Board) approve a resolution to provide an installment payment plan for the payment of obligations under AB X1 26, as amended, and request a finding of completion from the California Department of Finance and authorize the Executive Director of the Lynwood Redevelopment Agency (Successor Agency), or his designee, to finalize, execute, and transmit the installment payment plan and request for finding of completion under Health & Safety Code section 34179.6(h)(3) and 34191.5 at least five business days before December 31, 2015.

## **OVERSIGHT BOARD ITEMS**

NONE

## **ADJOURNMENT**

THE NEXT REGULAR OVERSIGHT BOARD MEETING WILL BE POSTED AS NEEDED. THE NEXT MEETING WILL BE HELD IN THE COUNCIL CHAMBERS OF CITY HALL, 11330 BULLIS ROAD, CITY OF LYNWOOD, CALIFORNIA

**OVERSIGHT BOARD TO THE SUCCESSOR AGENCY  
TO THE DISSOLVED LYNWOOD REDEVELOPMENT AGENCY**

**MINUTES**

**SPECIAL MEETING  
TUESDAY, SEPTEMBER 22, 2015  
3:00 P.M.**

**COUNCIL CHAMBERS  
LYNWOOD CITY HALL  
11330 BULLIS ROAD, LYNWOOD, CA 90262**

**1. CALL TO ORDER**

Chair Valenzuela called the meeting to order at 3:05 p.m.

**2. CERTIFICATION OF AGENDA POSTING BY CITY CLERK**

Estevan Padilla, Oversight Board staff, confirmed that the Agenda was posted correctly.

**3. ROLL CALL OF BOARD MEMBERS**

Board Members Present

Chair Luis C. Valenzuela

Vice Chair Dr. Keith Curry

Board Member J. Arnoldo Beltrán

Board Member Michelle Banks-Ordone (arrived at 3:10 p.m.)

Board Member Malcolm Bennett

Board Member Bruno Nauls

Board Members Absent

Board Member Peter Wong

**4. PLEDGE OF ALLEGIANCE**

Chair Valenzuela led the Pledge of Allegiance.

**5. PRESENTATIONS**

There were none.



## **PUBLIC ORAL COMMUNICATIONS**

Gustavo Lamana, Special Counsel to the Successor Agency, addressed the Oversight Board pertaining to the transfer of property by the Successor Agency to the City of Lynwood, and explained that the property better known as the Youth Center located on Birch Avenue has been deemed as a "government use" property by definition. Mr. Lamana informed the Oversight Board that based on Health and Safety Code 34181; the Oversight Board can approve the transfer of property from the Successor Agency to the City of Lynwood. Mr. Lamana requested to Agendize the transfer of property for consideration at the next Oversight Board meeting. Chair Valenzuela directed Successor Agency staff to Agendize the issue for the next Lynwood Oversight Board meeting.

## **NEW BUSINESS**

### **6. MINUTES OF PREVIOUS MEETINGS:**

Special Meeting – February 24, 2015

**On motion of Board Member Arnoldo Beltrán, seconded by Board Member Banks-Ordone, duly carried by the following vote, the Oversight Board approved the February 24, 2015 Special Meeting Minutes:**

**Ayes:** Board Members Arnoldo Beltrán, Banks-Ordone, Naulls, and Chair Valenzuela

**Noes:** None

**Absent:** Board Member Wong

**Abstained:** Board Member Bennett and Vice Chair Curry

### **7. ADOPTION OF THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JANUARY 1, 2016 to JUNE 30, 2016 (ROPS 15-16B) AND ADOPTION OF THE ADMINISTRATIVE BUDGET**

Lorry Hempe, Budget Manager, provided an overview of the Recognized Obligation Payment Schedule (ROPS) 15-16B, and the adoption of the Administrative Budget. Ms. Hempe informed the Board Members that the Successor Agency approved and adopted the ROPS and Administrative Budget on September 20, 2015. Ms. Hempe explained that there were minor modifications made to the ROPS based on the recommendations by the City Attorney's legal team, and noted that the modifications address the following:

20 [Notice of Entry of Judgment – Rogel v. LRA (Case No. BS106592)]

21 [Notice of Entry of Judgment – Rogel v. LRA (Case No. BS106592)]

22 [Order Awarding Plaintiffs Attorneys' Fees and Costs (Case No. BS106592)]

23 [Notice of Entry of Judgment – Rogel v. LRA (Case No. BS106592)] and

24 [Notice of Entry of Judgment – Rogel v. LRA (Case No. BS106592)]

Ms. Hempe further added that Line Item 60 – Administrative Cost Allowance, was amended to reflect the actual amount spent of \$195,958 and not \$196,190 as listed in the ROPS report. Board Members Naulls and Arnaldo Beltrán abstained from taking action on any line items that are associated with the allocation of funding or salary distributions to staff for specific projects.

**On motion of Vice Chair Curry, seconded by Board Member Bennett, duly carried by the following vote, the Board adopted Resolution No. 2015.002, a Resolution of the Oversight Board for the Lynwood Redevelopment Agency approving the Recognized Obligation Payment Schedule covering the period of January 1, 2016 to June 30, 2016 (ROPS 15-16B) and adopting the Administrative Budget as amended:**

<b>Ayes:</b>	<b>Board Members Arnaldo Beltrán, Banks-Ordone, Bennett Naulls, Vice Chair Curry and Chair Valenzuela</b>
<b>Noes:</b>	<b>None</b>
<b>Absent:</b>	<b>Board Member Wong</b>
<b>Abstained:</b>	<b>None</b>

#### **OVERSIGHT BOARD ITEMS**

There were none.

#### **ADJOURNMENT**

The meeting adjourned at 3:18 p.m.





# AGENDA STAFF REPORT

DATE: December 1, 2015

TO: Honorable Chair and Members of the Oversight Board

APPROVED BY: J. Arnoldo Beltrán, City Manager *JB*

PREPARED BY: Lorry Hempe, Public Works Special Projects Manager *LH*  
Gustavo Lamanna, Special Counsel

SUBJECT: Approval for the Disposition and Transfer of the Youth Center  
Located at 11409 Birch Street

## Recommendation:

Staff recommends that the Oversight Board to the Lynwood Redevelopment Agency adopt the attached resolution entitled: **"A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OVERSIGHT BOARD TO THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE DISPOSITION OF THE YOUTH CENTER PARCEL GRANT DEED UNDER HEALTH & SAFETY CODE SECTION 34181(a), DIRECTING THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY TO TRANSFER THE YOUTH CENTER PARCEL AS A GOVERNMENT PURPOSE UNDER HEALTH & SAFETY CODE SECTION 34181(a), AND AUTHORIZING THE CHAIRPERSON OF THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY TO SIGN THE YOUTH CENTER PARCEL GRANT DEED ON BEHALF OF THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY AS GRANTOR AND MAYOR OF THE CITY OF LYNWOOD TO ACCEPT THE YOUTH CENTER PARCEL GRANT DEED ON BEHALF OF THE CITY OF LYNWOOD AS GRANTEE."**

## Background:

On June 30, 2015, pursuant to Health & Safety Code section 34167.5, the California State Controller ordered, among other things, the return of the Youth Center Parcel to the Successor Agency. This order was in a report by the State Controller's Office auditing the former Lynwood Redevelopment Agency (SCO Report) following the Statewide audits the State Controller's Office conducted of all former redevelopment agencies under ABx1 26, as amended. In conformance with the SCO Report, the City authorized the return of the Youth Center Parcel. Prior to finalization of the City's authorized documentation and long-range property management plan submittal,



Successor Agency staff has reached out the State Department of Finance (DOF) a separate government body from the State Controller's Office, and requested guidance to return the Youth Center Parcel to the City as it qualifies as a government use under Health & Safety Code section 34181(a).

### **Discussion & Analysis:**

#### Youth Center Parcel

According to the SCO Report, the Youth Center Parcel was transferred by the former Lynwood Redevelopment Agency on March 10, 2011 to the City; this was done at a time when all redevelopment agencies were negotiating transfer and cooperation agreements before the passage of AB X1 26 and AB X1 27.

The SCO Report orders the City to transfer the Youth Center Parcel to the Successor Agency. The City authorized the transfer of the Youth Center Parcel to the Successor Agency following the SCO Report.

Upon satisfactory compliance with AB X1 26, as amended, the Youth Center Parcel may be returned to the City for a governmental use as part of the long-range property management plan under Health & Safety Code section 34191.5(c)(2). However, following the City-authorization in conformance with the SCO Report, Successor Agency staff reached out to Finance to inquire if the Youth Center Parcel may be conveyed as a government use now under Health & Safety Code section 34181(a) before the submittal of the long-range property management plan. Positive feedback was received. Therefore, the Successor Agency is requesting the Oversight Board, pursuant to subdivisions (a) and (f) of Health & Safety Code section 34181, to dispose of the Youth Center Parcel as a government use and direct the Successor Agency to transfer ownership of the Youth Center Parcel as it was constructed and is used by as a government use Youth Center. This action is subject to a 10-day notice and formal approval by the DOF under Health & Safety Code section 34181(f).

### **Fiscal Impact:**

The transfer of the Youth Center to the City of Lynwood will ensure continuous use of the Youth Center as a governmental use.

Coordinated With:

City Attorney  
Gustavo Lamanna, Special Counsel  
Community Development  
Finance Department

**Attachment:**

**Exhibit A – Youth Center Grant Deed**

**Exhibit B – 10-day Notice under Health & Safety Code section 34181(f)**

**Exhibit C – Related Resolutions**

OFFICIAL BUSINESS  
Document entitled to free  
recording per Government Code  
Sections 6103 and 27383

Recording Requested by and  
When Recorded, Mail To:

CITY OF LYNWOOD  
Office of the City Manager  
11330 Bullis Road  
Lynwood, CA 90262

Los Angeles County Assessor  
Parcel Number: 6173-007-900

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SPACE ABOVE THIS LINE FOR RECORDING USE

EXEMPT FROM DOCUMENTARY TRANSFER TAX  
PER GOVERNMENT CODE SECTIONS 6103 AND 27383

YOUTH CENTER GRANT DEED

(Youth Center Parcel – 11409 Birch Street)

[Transfer made in response to Health & Safety Code section 34181(a) and subject to covenants  
for government use under Health & Safety Code section 34181(a)]

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, the LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY, a public body, corporate and politic, duly formed pursuant to Health & Safety Code section 34173, herein called "Grantor," acting to carry out the redevelopment project plans under Ordinance No. 945 adopted July 10, 1973 for Redevelopment Project Area A and Ordinance No. 993 adopted November 3, 1975 for the Alameda Redevelopment Project Area (hereinafter collectively referred to herein as simply the "Redevelopment Plan") pursuant to the Community Redevelopment Law of the State of California, hereby grants to the CITY OF LYNWOOD, a municipal corporation of the State of California, validly existing and in good standing under the laws of the State of California, herein called "Grantee," the real property located at 11409 Birch Street in the City of Lynwood, County of Los Angeles, and State of California hereinafter referred to as the "Youth Center Parcel," legally described as:

THE EASTERLY 80 FEET OF LOT 1201 AND THE EASTERLY 80 FEET OF THE  
NORTHEAST 40 FEET OF LOT 1202 TRACT NO. 3335, AS PER MAP RECORDED IN  
BOOK 36, PAGE 42, OF MAPS IN THE RECORDS OF LOS ANGELES COUNTY.

APN: 6173-007-901, -902 (the property was previously identified as 6173-007-900)

(1) The Youth Center Parcel is hereby conveyed in accordance with and subject to government use under Health & Safety Code sections 34181(a) and/or the Redevelopment Plan, which results in the allocation of taxes from Redevelopment Project Area A and the Alameda Redevelopment Project Area, pursuant to the above-referenced ordinances, for purposes of redevelopment and the corresponding statutory five-year implementation plan for said corresponding project areas, as amended from time-to-time with established goals to support affordable housing, economic development, community revitalization, commercial revitalization, and institutional revitalization.

(2) Grantee hereby covenants and agrees for itself, its successors, its assigns, and every successor-in-interest to the Youth Center Parcel that Grantee, such successors and assigns, shall develop, maintain, and use the Youth Center Parcel for any municipal purpose, including, but not limited to the elimination of blighting influences within the Redevelopment Project Area A, the Alameda Redevelopment Project Area, affordable housing and public improvements, in conformance with the Redevelopment Plan. This covenant includes the requirement that the Youth Center Parcel be dedicated for government use under Health & Safety Code section 34181(a), and if necessary and appropriate, facilitate and subsequently include the Youth Center Parcel in the long-range property management plan for government use disposition under Health & Safety Code section 34191.5(c)(2).

(3) Grantee covenants and agrees for itself, its successors, its assigns, and all persons claiming under or through them that there shall be no discrimination against or segregation of any person or group of persons on account of sex, sexual orientation, marital status, race, color, creed, religion, national origin or ancestry in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the Youth Center Parcel, nor shall Grantee itself or any person claiming under or through it, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the Youth Center Parcel. The foregoing covenants shall run with the land.

(4) All deeds, leases or contracts made relative to the Youth Center Parcel, improvements thereon, or any part thereof, shall contain or be subject to substantially the following nondiscrimination or nonsegregation clauses:

- (a) In deeds: "The grantee herein covenants by and for himself or herself, his or her heirs, executors, administrators, and assigns, and all persons claiming under or through them, that there shall be no discrimination against or segregation of, any person or group of persons on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the sale, lease, sublease, transfer, use, occupancy, tenure, or enjoyment of the premises herein conveyed, nor shall the grantee or any person claiming under or through him or her, establish or permit any practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of tenants, lessees, subtenants, sublessees, or vendees in the

premises herein conveyed. The foregoing covenants shall run with the land.”

Notwithstanding the paragraph, with respect to familial status, paragraph (a) shall not be construed to apply to housing for older persons, as defined in Section 12955.9 of the Government Code. With respect to familial status, nothing in paragraph (a) shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11, and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 and Section 1360 of the Civil Code and subdivisions (n), (o), and (p) of Section 12955 of the Government Code shall also apply to the above paragraph.

- (b) In leases: “The lessee herein covenants by and for himself or herself, his or her heirs, executors, administrators, and assigns, and all persons claiming under or through him or her, and this lease is made and accepted upon and subject to the following conditions:

That there shall be no discrimination against or segregation of any person or group of persons, on account of any basis listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those bases are defined in Sections 12926, 12926.1, subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code, in the leasing, subleasing, transferring, use, occupancy, tenure, or enjoyment of the premises herein leased nor shall the lessee himself or herself, or any person claiming under or through him or her, establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use, or occupancy, of tenants, lessees, sublessees, subtenants, or vendees in the premises herein leased.”

Notwithstanding the above paragraph, with respect to familial status, paragraph (b) shall not be construed to apply to housing for older persons, as defined in Section 12955.9 of the Government Code. With respect to familial status, nothing in paragraph (1) shall be construed to affect Sections 51.2, 51.3, 51.4, 51.10, 51.11, and 799.5 of the Civil Code, relating to housing for senior citizens. Subdivision (d) of Section 51 and Section 1360 of the Civil Code and subdivisions (n), (o), and (p) of Section 12955 of the Government Code shall apply to the above paragraph.

- (c) In contracts entered into by the Grantee relating to the sale, transfer, or leasing of land or any interest therein acquired by the Grantee within any survey area of redevelopment project the foregoing provisions in substantially the forms set forth shall be included and the contracts shall further provide that the foregoing provisions shall be binding upon and shall obligate the contracting party or parties and any subcontracting party or parties, or other transferees under the instrument.

(5) All conditions, covenants and restrictions contained in this Grant Deed shall be covenants running with the land, and shall, in any event, and without regard to technical classification or designation, legal or otherwise, be, to the fullest extent permitted by law and equity, binding for the benefit and in favor of, and enforceable by Grantor, its successors and assigns, against Grantee, its successors and assigns, to or of the Youth Center Parcel conveyed herein or any portion thereof or any interest therein, and any party in possession or occupancy of said Youth Center Parcel or portion thereof.

(6) The conditions contained in paragraphs (4) and (5) of this Grant Deed shall remain in perpetuity, except as otherwise expressly provided by law.

(7) In amplification and not in restriction of the provisions set forth hereinabove, it is intended and agreed that Grantor shall be deemed a beneficiary of the agreements and covenants provided hereinabove both for and in its own right and also for the purposes of protecting the interests of the community. All covenants without regard to technical classification or designation shall be binding for the benefit of Grantor, and such covenants shall run in favor of Grantor for the entire period during which such covenants shall be in force and effect, without regard to whether Grantor is or remains an owner of any land or interest therein to which such covenants relate. Grantor shall have the right, in the event of any breach of any such agreement or covenant, to exercise all the rights and remedies, and to maintain any actions at law or suit in equity or other proper proceedings to enforce the curing of such breach of agreement or covenant.

(8) No violation or breach of the covenants, conditions, restrictions, provisions or limitations contained in this Grant Deed shall defeat or render invalid or in any way impair the lien or charge of any mortgage or deed of trust or security interest; provided, however, that any subsequent owner of the Youth Center Parcel shall be bound by such remaining covenants, conditions, restrictions, limitations, and provisions, whether such owner's title was acquired by foreclosure, deed in lieu of foreclosure, trustee's sale or otherwise.

(9) None of the terms, covenants, agreements or conditions heretofore agreed upon in writing in other instruments between the parties to this Grant Deed with respect to obligations to be performed, kept or observed by Grantee or Grantor in respect to said Youth Center Parcel or any part thereof after this conveyance of said Youth Center Parcel shall be deemed to be merged with this Grant Deed.

(10) The covenants contained in this Grant Deed shall be construed as covenants running with the land and not as conditions which might result in forfeiture of title.

[Remainder of this page is intentionally left blank; signatures on following page]

IN WITNESS WHEREOF, Grantor and Grantee have caused this instrument to be executed on their behalf by their respective officers hereunto duly authorized this \_\_\_\_ day of \_\_\_\_\_, 2015.

GRANTEE

CITY OF LYNWOOD, a municipal corporation

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
José Luis Solache  
Mayor

ATTEST:

By: \_\_\_\_\_  
Maria Quinones  
City Clerk

GRANTOR

LYNWOOD REDEVELOPMENT AGENCY  
SUCCESSOR AGENCY, a public body, corporate  
and politic, designated under Health & Safety  
Code section 34173

By: City of Lynwood, a municipal corporation  
and pursuant to that designation under  
Health & Safety Code section 34173(g)

Date: \_\_\_\_\_

By: \_\_\_\_\_  
José Luis Solache  
Chairperson

ATTEST:

By: \_\_\_\_\_  
Maria Quinones  
Secretary



## CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by this Grant Deed dated \_\_\_\_\_ from the **LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY**, a public body, corporate and politic, designated under Health & Safety Code section 34173, as Grantor, to the **CITY OF LYNWOOD**, a municipal corporation, as Grantee is hereby accepted and the **CITY OF LYNWOOD** consents to recordation thereof by its duly authorized officer as accepted by Resolution No. \_\_\_\_\_ by Grantee which was passed, approved and adopted \_\_\_\_\_.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
José Luis Solache  
Mayor

This Grant Deed requires notarization before a Notary Public.

The Notary Public must use the current approved form of acknowledgment for the State of California.  
A PDF is available at:

<http://notary.cdn.sos.ca.gov/forms/notary-ack.pdf>

## ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California                     )  
  )  
County of Los Angeles                )

On \_\_\_\_\_, 2015 before me, \_\_\_\_\_ (insert name of the officer), Notary Public, personally appeared José Luis Solache, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

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Signature of Notary Public

[Seal]

NOTICE OF OVERSIGHT BOARD PUBLIC MEETING  
[Health & Safety Code section 34181(f)]

RECEIVED  
Dep't with  
NOV 17 2015 clerk  
CITY OF LYNWOOD  
CITY CLERK'S OFFICE

PLEASE TAKE NOTICE, that on December 1, 2015 at 3:00 p.m., the Oversight Board to the Successor Agency of the former Lynwood Redevelopment Agency will consider adoption of a resolution to: (a) dispose of the property located at 11409 Birch Street, Lynwood, California, the Youth Center Parcel of the former Lynwood Redevelopment Agency to the City of Lynwood under Health & Safety Code section 34181(a); and (b) direct the Successor Agency of the former Lynwood Redevelopment Agency to transfer to the City of Lynwood the 11409 Birch Street, Lynwood, California dedicated to government use under Health & Safety Code section 34181(a).

This Notice of Oversight Board Public Meeting is provided pursuant to subdivisions (a) and (f) of Health & Safety Code section 34181. Subdivision (f) of Health & Safety Code section 34181 reads, in relevant part: All actions taken pursuant to subdivisions (a) ... shall be approved by resolution of the oversight board at a public meeting after at least 10 days' notice to the public of the specific proposed actions. The actions shall be subject to review by the department pursuant to Health & Safety Code section 34179 except that the department may extend its review period by up to 60 days. If the department does not object to an action subject to this section, and if no action challenging an action is commenced within 60 days of the approval of the action by the oversight board, the action of the oversight board shall be considered final and can be relied upon as conclusive by any person. If an action is brought to challenge an action involving title to or an interest in real property, a notice of pendency of action shall be recorded by the claimant as provided in Title 4.5 (commencing with Section 405) of Part 2 of the Code of Civil Procedure within a 60-day period.

This Notice of Oversight Board Public Meeting has been posted in Lynwood City Hall and transmitted by electronic means to the California Department of Finance, Los Angeles County Auditor-Controller, Los Angeles County Chief Administrative Officer, and members of the Oversight Board.

This Notice of Oversight Board Public Meeting is limited to providing the notice required under subdivision (f) of Health & Safety Code section 34181 and does not replace any other notices or agenda requirements required by law.

Date: Tuesday, December 1, 2015

Time: 3:00 p.m.

Place: Lynwood City Hall  
Council Chambers  
11330 Bullis Road  
Lynwood, CA 90262

Successor Agency of the former Lynwood Redevelopment Agency, a public body, corporate and politic, designated under Health & Safety Code section 34173(a)

**OVERSIGHT BOARD RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OVERSIGHT BOARD TO THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE DISPOSITION OF THE YOUTH CENTER PARCEL GRANT DEED UNDER HEALTH & SAFETY CODE SECTION 34181(a), DIRECTING THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY TO TRANSFER THE YOUTH CENTER PARCEL AS A GOVERNMENT PURPOSE UNDER HEALTH & SAFETY CODE SECTION 34181(a), AND AUTHORIZING THE CHAIRPERSON OF THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY TO SIGN THE YOUTH CENTER PARCEL GRANT DEED ON BEHALF OF THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY AS GRANTOR AND MAYOR OF THE CITY OF LYNWOOD TO ACCEPT THE YOUTH CENTER PARCEL GRANT DEED ON BEHALF OF THE CITY OF LYNWOOD AS GRANTEE**

**WHEREAS**, pursuant to Section 34167.5 of the Health and Safety Code, the California State Controller's Office issued an order on June 30, 2015 for the return of fee title to the Youth Center Property located at 11409 Birch Street in the City of Lynwood (Youth Center Parcel), to the Lynwood Redevelopment Agency Successor Agency (Successor Agency); and

**WHEREAS**, in conformance with order of the California State Controller's Office under Section 34167.5 of the Health and Safety Code, the City of Lynwood (City) authorized the return of fee title to the Youth Center Parcel to the Successor Agency; and

**WHEREAS**, Section 34191.5 (c)(2) of the Health and Safety Code, the long-range property management plan procedure under AB X1 26, as amended, provides a procedure where, upon satisfactory compliance with AB X1 26, as amended, the Successor Agency may seek the return of the Youth Center Parcel to the City of Lynwood as a government use; and

**WHEREAS**, in response to the order from the California State Controller's Office and authorization by the City to return the Youth Center Parcel to the Successor Agency, Successor Agency staff sought guidance from the California Department of Finance (Finance) under Section 34181(a) of the Health & Safety Code to confirm and construe the Youth Center Parcel as eligible for return to the City as a government use prior to the submittal of the long-range property management plan; and

**WHEREAS**, in conformance with the guidance of Finance, the Oversight Board considered the return of the Youth Center Parcel to the City under subdivisions (a) and (f) of Section 34181 of the Health & Safety Code as a government use property along with the grant deed prepared for the transfer of the Youth Center Parcel by the Successor Agency to the City.

**NOW, THEREFORE, THE OVERSIGHT BOARD DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals.** The Recitals set forth above are true and correct and incorporated herein by reference.

**Section 2. Approval, Disposition, Direction to Transfer, and Authorization to Execute Youth Center Parcel Grant Deed.** The Oversight Board approves the Youth Center Parcel Grant Deed in substantially the form attached hereto as Exhibit A and the disposition of the Youth Center Parcel under Section 34181(a) of the Health & Safety Code; the Oversight Board further directs the Successor Agency to transfer ownership of the Youth Center Parcel to the City as a government use under Section 34181(a); and finally, the Oversight Board authorizes the Chairperson of the Successor Agency, or the Chairperson's designee, to execute the Youth Center Parcel Grant Deed, and that the Mayor of the City, or the Mayor's designee, to accept the Youth Center Parcel as contemplated by the Youth Center Parcel Grant Deed.

**Section 3. Authorization to Make Changes** . The Oversight Board authorizes the Executive Director of the Successor Agency or the Executive Director's designee to make non-substantive changes as necessary to the Youth Center Parcel Grant Deed, if required and appropriate, before it is acknowledged by the Successor Agency and City signatories before a notary public and recorded with the Office of the Los Angeles County Recorder; the Executive Director of the Successor Agency or the Executive Director's designee is also authorized to make any other non-substantive changes and take any actions in furtherance of this resolution thereafter as necessary.

**Section 4.** That the Secretary of the Oversight Board to the Lynwood Redevelopment Agency Successor Agency, certify the adoption of this Resolution.

**PASSED, APPROVED and ADOPTED this 1<sup>st</sup> day of December 2015.**

---

Luis Valenzuela  
Chair

**ATTEST:**

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Estevan Padilla, Deputy Clerk  
Los Angeles County Board of Supervisors  
Acting as Secretary to the Lynwood Oversight Board

**APPROVED AS TO FORM:**

---

David A. Garcia  
General Counsel  
Successor Agency

**STATE OF CALIFORNIA        )**  
**)**  
**COUNTY OF LOS ANGELES    )**

I, the undersigned, as Secretary to the Oversight Board to the Lynwood Redevelopment Agency Successor Agency, do hereby certify that the above and foregoing Resolution was duly adopted by the Oversight Board to the Lynwood Redevelopment Agency Successor Agency at a meeting held in the City Hall of said City on the 1<sup>st</sup> day of December 2015, and passed by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
Secretary





# AGENDA STAFF REPORT

DATE: December 1, 2015

TO: Honorable Members of the Board of Directors of the Oversight Board to the Lynwood Redevelopment Agency Successor Agency

PREPARED BY: Amanda Hall, Finance Director for the City of Lynwood, acting as the Lynwood Redevelopment Agency Successor Agency *Out*  
Gustavo Lamanna, Special Counsel

SUBJECT: Request for the Oversight Board to the Lynwood Redevelopment Agency Successor Agency to approve a resolution approving the submittal of the long-range property management plan of the Lynwood Redevelopment Agency Successor Agency to the California Department of Finance and authorize the Executive Director of the Lynwood Redevelopment Agency Successor Agency, or his designee, to finalize, execute, and transmit said plan at least five business days before December 31, 2015.

## Recommendation:

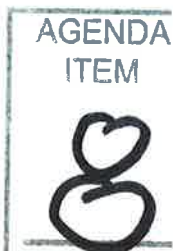
Staff recommends the Board of Directors of the Oversight Board to the Lynwood Redevelopment Agency Successor Agency adopt: **"A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OVERSIGHT BOARD TO THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE LONG-RANGE PROPERTY MANAGEMENT PAYMENT PLAN UNDER HEALTH & SAFETY CODE SECTION 34191.5 AND AUTHORIZING THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY EXECUTIVE DIRECTOR, OR HIS DESIGNEE, TO CONTINUE TO NEGOTIATE, FINALIZE, EXECUTE, AND TIMELY TRANSMIT THE LONG-RANGE PROPERTY MANAGEMENT PLAN."**

## Introduction

Staff recommends that the Members of the Board of Directors of the Oversight Board to the Lynwood Redevelopment Agency Successor Agency (Oversight Board) approve a resolution approving the submittal of the long-range property management plan of the Lynwood Redevelopment Agency Successor Agency to the California Department of Finance and authorize the Executive Director of the Lynwood Redevelopment Agency Successor Agency, or his designee, to finalize, execute, and transmit said plan at least five business days before December 31, 2015.

## Background:

Under the redevelopment dissolution statute AB X1 26, as amended, and specifically pursuant to Health & Safety Code section 34191.5, the Successor Agency is required to submit a long-range property management plan at least five business days before December 31, 2015. Staff



has been investigating and negotiating with the California Department of Finance. However, with the passage of SB 107 on September 22, 2015, the Successor Agency accelerated its investigation and negotiation and proposed to provide an attached long-range property management plan under Health & Safety Code section 34191.5 (the "LRPMP"). Concurrently with the submittal of the LRPMP, the Successor Agency proposes the submittal of an installment payment plan ("Installment Plan") and request for finding of completion ("FOC Request") as a separate item. These three items, the Installment Plan, FOC Request, and LRPMP will also be proposed to the Oversight Board to the Successor Agency with a separate request to return of the Youth Center to the City of Lynwood as a government use under Health & Safety Code section 34181(a).

### **Discussion & Analysis:**

#### LRPMP

As noted in the attached form of LRPMP, the Successor Agency proposes to dispose of the properties in its inventory according to AB X1 26, as amended. Specifically, Health & Safety Code section 34191.5(c)(2) provides the Successor Agency various options for disposition of property as noted therein. After some negotiation with the California Department of Finance ("Finance"), staff determined there is merit to dispose of the Successor Agency properties under the proposed LRPMP and submit said plan at least five business days prior to December 31, 2015 or December 17, 2015 at the latest to allow for Finance to respond accordingly and move forward with implementing AB X1 26, as amended. As part of this resolution, staff is suggesting the Executive Director, or his designee, be given discretion to continue to negotiate the documents to assure all the interests of the Successor Agency are preserved and protected.

#### Conclusion

Staff recommends the Oversight Board approve the attached resolution, finalize the LRPMP, and authorize the Successor Agency Executive Director or his designee to continue to negotiate, finalize, and timely transmit the LRPMP accordingly.

#### Coordinated With:

City Attorney  
Community Development  
Finance Department

#### Attachments:

Exhibit A – LRPMP  
Exhibit B – Related Resolution

**OVERSIGHT BOARD RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OVERSIGHT BOARD TO THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE LONG-RANGE PROPERTY MANAGEMENT PAYMENT PLAN UNDER HEALTH & SAFETY CODE SECTION 34191.5 AND AUTHORIZING THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY EXECUTIVE DIRECTOR, OR HIS DESIGNEE, TO CONTINUE TO NEGOTIATE, FINALIZE, EXECUTE, AND TIMELY TRANSMIT THE LONG-RANGE PROPERTY MANAGEMENT PLAN**

**WHEREAS**, pursuant to Section 34191.5 of the Health and Safety Code, the Lynwood Redevelopment Agency Successor Agency ("Successor Agency") is required to obtain approval of a long-range property management plan ("LRPMP") before December 31, 2015; and

**WHEREAS**, in conformance with Section 34191.5 of the Health and Safety Code, the Successor Agency transmitted and negotiated a draft LRPMP in compliance with AB X1 26, as amended, and particularly Section 34191.5(c)(2) of the Health and Safety Code; and

**WHEREAS**, the Oversight Board to the Successor Agency ("Oversight Board") finds the LRPMP in the best interest of the affected taxing entities of the Successor Agency, the Successor Agency, the City of Lynwood, and community, and authorizes the Successor Agency Executive Director, or his designee, to continue to negotiate the LRPMP and submit the LRPMP in sufficient time to receive approval before December 31, 2015.

**NOW, THEREFORE, THE OVERSIGHT BOARD DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals.** The Recitals set forth above are true and correct and incorporated herein by reference.

**Section 2. Approval of the LRPMP.** The Oversight Board approves the LRPMP in substantially the form attached hereto as Exhibit A; the Oversight Board further directs the Successor Agency to continue to negotiate, execute, and transmit the LRPMP; and finally, the Oversight Board authorizes the Executive Director of the Successor Agency, or the Executive Director's designee, to execute and transmit the LRPMP in such forms negotiated to the satisfaction of the Successor Agency Executive Director or his designee.

**Section 3. Authorization to Make Changes** . The Oversight Board authorizes the Executive Director of the Successor Agency or the Executive Director's designee to make substantive changes as necessary to the LRPMP, if required and appropriate,

before the LRPMP is submitted in compliance with AB X1 26, as amended, and take any actions in furtherance of this resolution thereafter as necessary.

**Section 4.** That the Secretary of the Oversight Board to the Lynwood Redevelopment Agency Successor Agency, certify the adoption of this Resolution.

**PASSED, APPROVED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2015.**

\_\_\_\_\_  
Chairperson

**ATTEST:**

\_\_\_\_\_  
Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David A. Garcia  
General Counsel  
Successor Agency

**STATE OF CALIFORNIA        )**  
**)**  
**COUNTY OF LOS ANGELES    )**

I, the undersigned, as Secretary to the Oversight Board to the Lynwood Redevelopment Agency Successor Agency, do hereby certify that the above and foregoing Resolution was duly adopted by the Oversight Board to the Lynwood Redevelopment Agency Successor Agency at a meeting held in the City Hall of said City on the \_\_\_\_\_ day of \_\_\_\_\_ 2015, and passed by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
Secretary



# Successor to the Lynwood Redevelopment Agency

## Long Range Property Management Plan

2015  
Agency Owned Properties



Provided by the Successor to the  
Lynwood Redevelopment Agency

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## **PART II PROPERTY DISPOSITION AND USE**

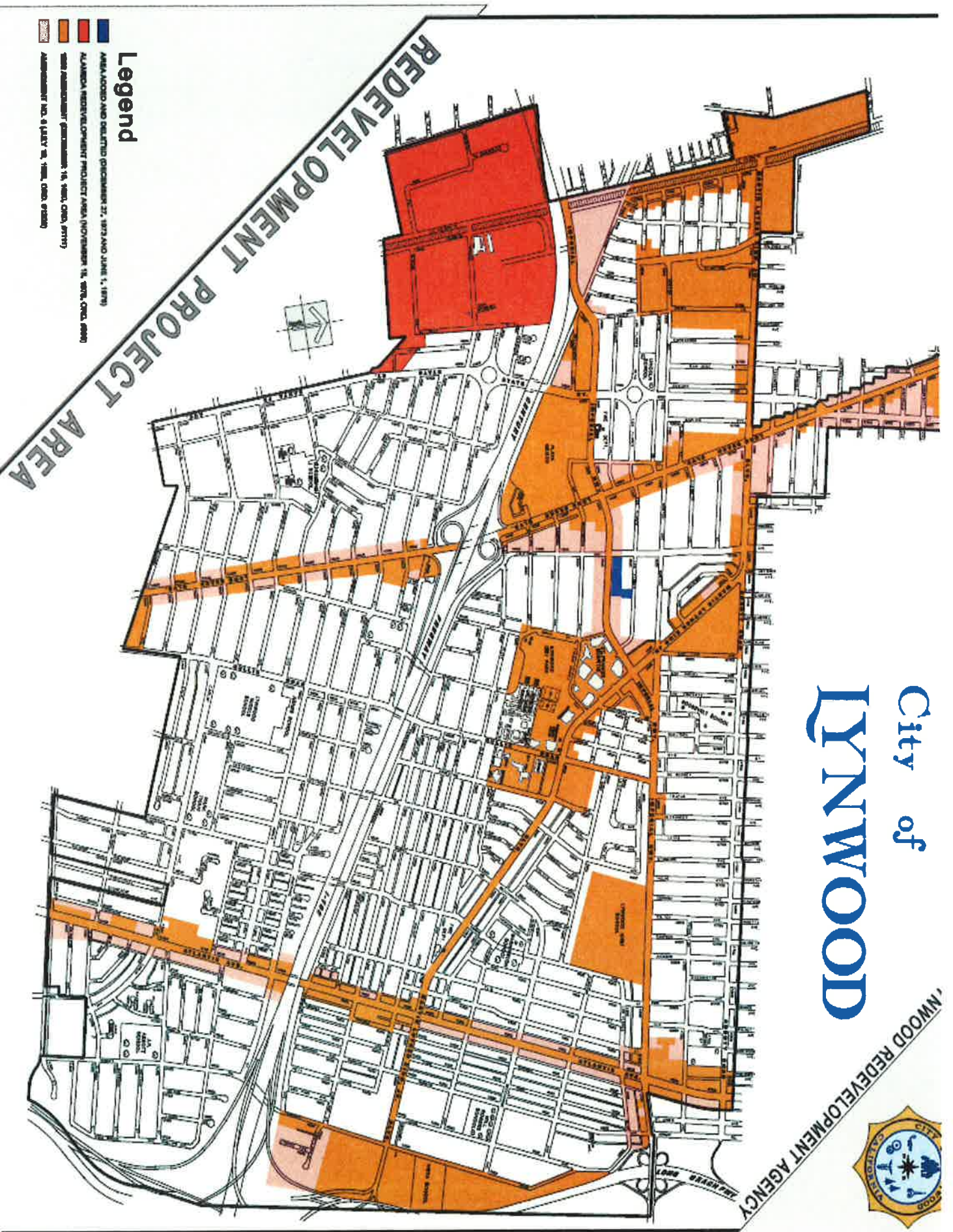
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# City of LYNWOOD

LYNWOOD REDEVELOPMENT AGENCY



# 11230 Long Beach Blvd

## APN# 6173-002-906

- Parking Lot
  - City owned land located on the Northeast corner of Long Beach Blvd. and Sanborn Ave.
  - 3,822 sq. ft.
  - Acquired August 8, 1991

# PROPERTY INFORMATION

## LONG-RANGE PROPERTY MANAGEMENT PLAN

### Property Address

11230 Long Beach Boulevard  
Lynwood, California 90262

### Acquisition Information

The parcel was acquired August 8, 1991 at a cost of \$50,000.

### Purpose Acquired

The parcel was acquired for the government use of public parking.

### Parcel Data

APN 6173-002-906

0.0877 acres (approximately 3,822 square feet)

Light Commercial [zoned LYC2]

A proposed Transit Oriented Development Strategic Plan coordinated with Caltrans and the Los Angeles County METRO identifies this parcel as a site for public parking.

### Current Value

The parcel has no value as it is burdened by about 25 years of government use as a free surface public parking lot and has not generated revenue. This government use as free surface public parking, authorized under Streets & Highways Code section 32501, represents its highest and best use. Termination of this government use as free surface public parking is also unlikely under Streets & Highways Code section 31851.5 due to the lack of public parking in the area. Furthermore, the parcel is within the Long Beach Boulevard Specific Plan and addressed as continued public parking in the Transit Oriented Development Strategic Plan coordinated with Caltrans and the Los Angeles County METRO. As a result, the parcel is valued at zero and dedicated for the government use, which includes the current use as a free surface public parking lot.

### Lease/rental Income and Contractual Requirements

The parcel generates no revenue. There are no contractual revenue-generating requirements.

### Environmental Contamination

The parcel has been used for free surface public parking for about 25 years. A Phase 1 report has not been prepared nor approved. There is no known history of any prior use that would require further environmental investigation.

### Potential for Transit Oriented Development

The parcel is located two blocks from a transit center. This specific parcel and its environs are conducive to transit oriented development. The nearest potential transit station site is less than a quarter-mile away and there are current strategic plans for transit area village under cooperation Caltrans and the Los Angeles County METRO.

### Previous Development Proposals – Existing Leases

As noted above, the parcel has been used for free surface public parking for about 25 years and identified for continued use as public parking under the Transit Oriented Development Strategic Plan in coordination with Caltrans and the Los Angeles County METRO. This parcel, along with the parcel across the street at 3320 Sanborn Avenue, are included as part of a dormant commercial development proposal which may include its continued use as free surface public parking as part of a transit oriented village in furtherance of the proposed Transit Oriented Development Strategic Plan.

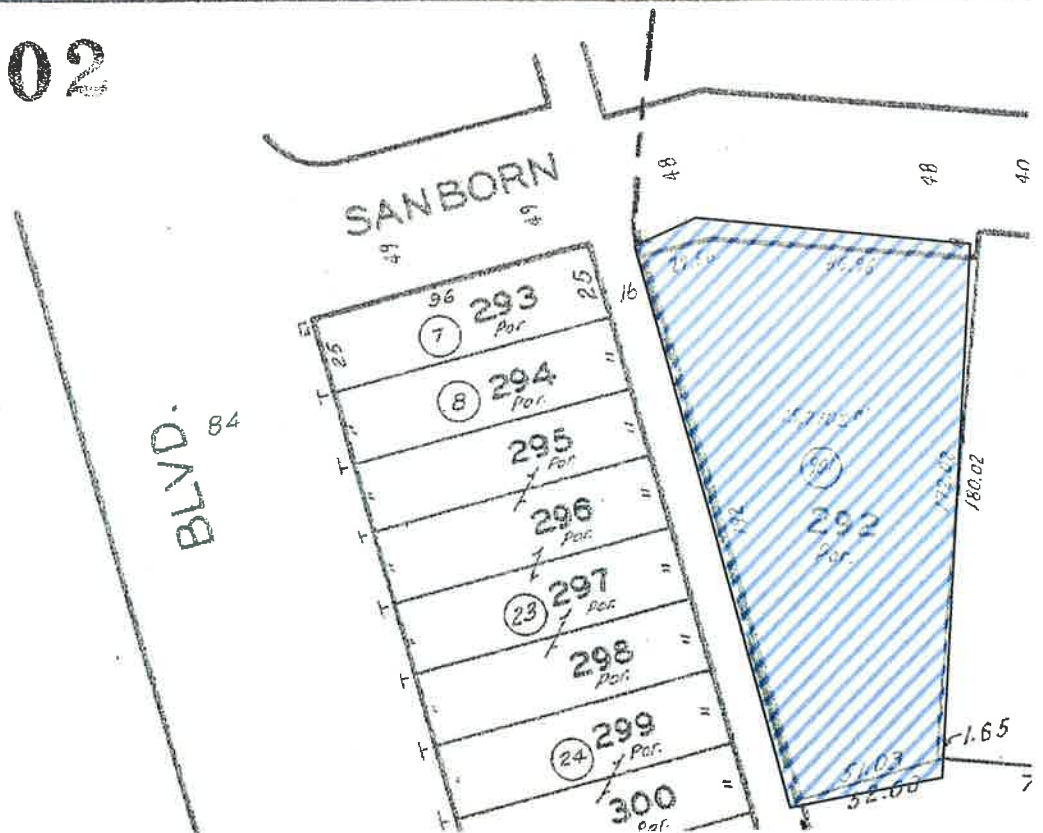
### Proposed Disposition of Property


This parcel is proposed to be used to fulfill and enforceable obligation. In the alternative, should the enforceable obligation not move forward, the parcel shall be retained for government use as a free surface public parking lot and eventually as public parking under the proposed Transit Oriented Development Strategic Plan in coordination with Caltrans and the Los Angeles County METRO to be adopted in June 2016.





SCALE 1" = 60'





# 3320 Sanborn Avenue

## APN# 6173-003-901

- Parking lot
  - City owned land currently used as a parking lot
  - 16,057 sq. ft
  - Acquired January 29, 1990

# PROPERTY INFORMATION

## LONG-RANGE PROPERTY MANAGEMENT PLAN

### Property Address

3320 Sanborn Avenue  
Lynwood, California 90262

### Acquisition Information

Parcel was acquired January 29, 1990 at a cost of \$180,000

### Purpose Acquired

Parcel was acquired for the government use of public parking.

### Parcel Data

APN 6173-003-901

0.3686 acres (approximately 16,057 square feet);

Parking [zoned LYP1]

A proposed Transit Oriented Development Strategic Plan coordinated with Caltrans and the Los Angeles County METRO identifies this parcel as a site for public parking.

### Current Value

The parcel has no value as it is burdened by over 25 years of government use as a free surface public parking lot and has not generated revenue. This government use as free surface public parking, authorized under Streets & Highways Code section 32501, represents its highest and best use. Termination of this government use as free surface public parking is also unlikely under Streets & Highways Code section 31851.5 due to the lack of public parking in the area. Furthermore, the parcel is within the Long Beach Boulevard Specific Plan and addressed as continued public parking in the Transit Oriented Development Strategic Plan coordinated with Caltrans and the Los Angeles County METRO. As a result, the parcel is valued at zero and dedicated for the government use, which includes the current use as a free surface public parking lot.

### Lease/rental Income and Contractual Requirements

The parcel generates no revenue. There are no contractual revenue-generating requirements.

### Environmental Contamination

The parcel has been used for free surface public parking for over 25 years. A Phase 1 report has not been prepared nor approved. There is no known history of any prior use that would require further environmental investigation.

### Potential for Transit Oriented Development

The parcel is located two blocks from a transit center. This specific parcel and its environs are conducive to transit oriented development. The nearest potential transit station site is less than a quarter-mile away and there are current strategic plans for transit area village under cooperation Caltrans and the Los Angeles County METRO.

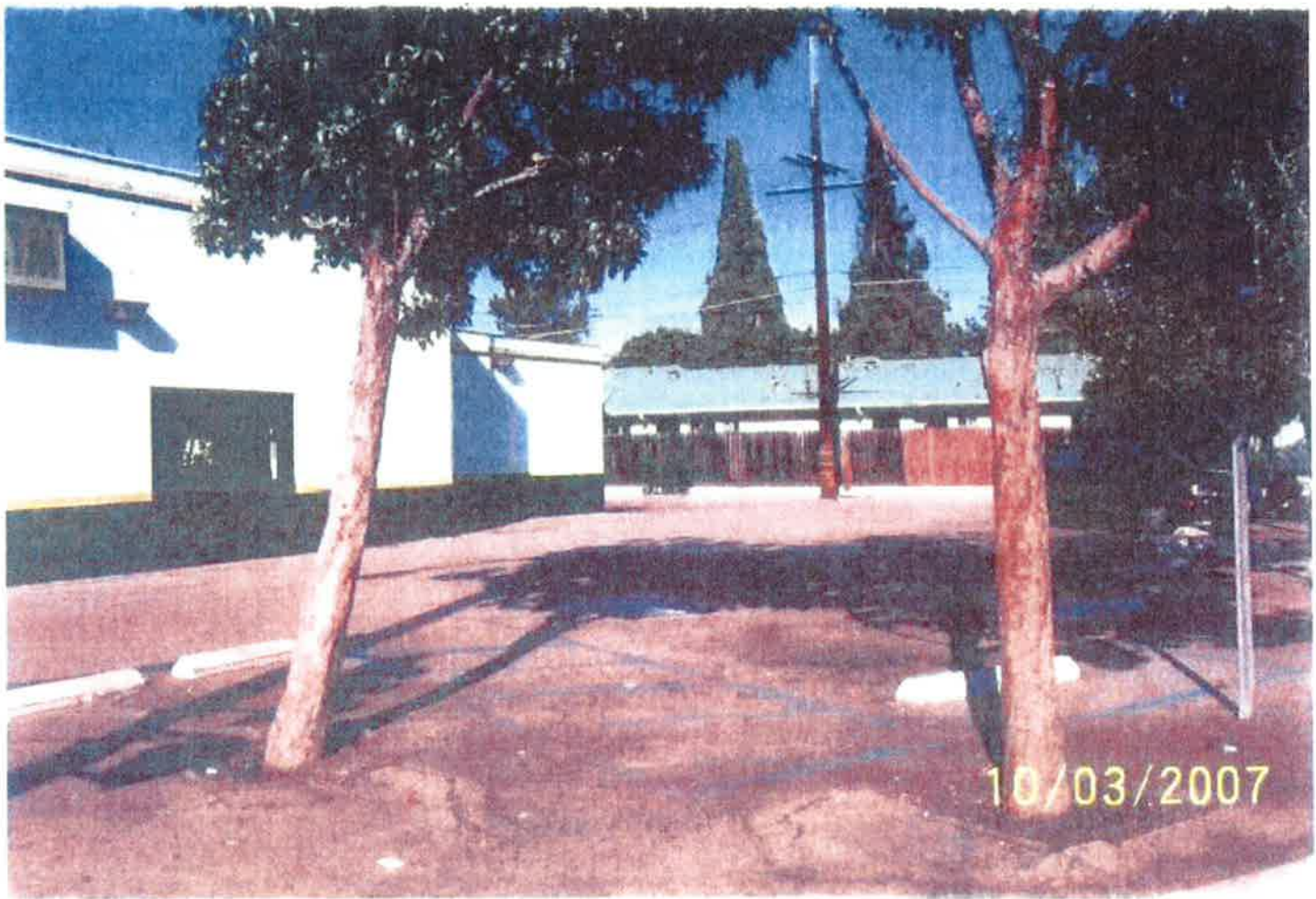
### Previous Development Proposals – Existing Leases

As noted above, the parcel has been used for free surface public parking for about 25 years and identified for continued use as public parking under the Transit Oriented Development Strategic Plan in coordination with Caltrans and the Los Angeles County METRO. This parcel, along with the parcel across the street at 11230 Long Beach Boulevard, are included as part of a dormant commercial development proposal which may include its continued use as free surface public parking as part of a transit oriented village in furtherance of the proposed Transit Oriented Development Strategic Plan.

### Proposed Disposition of Property

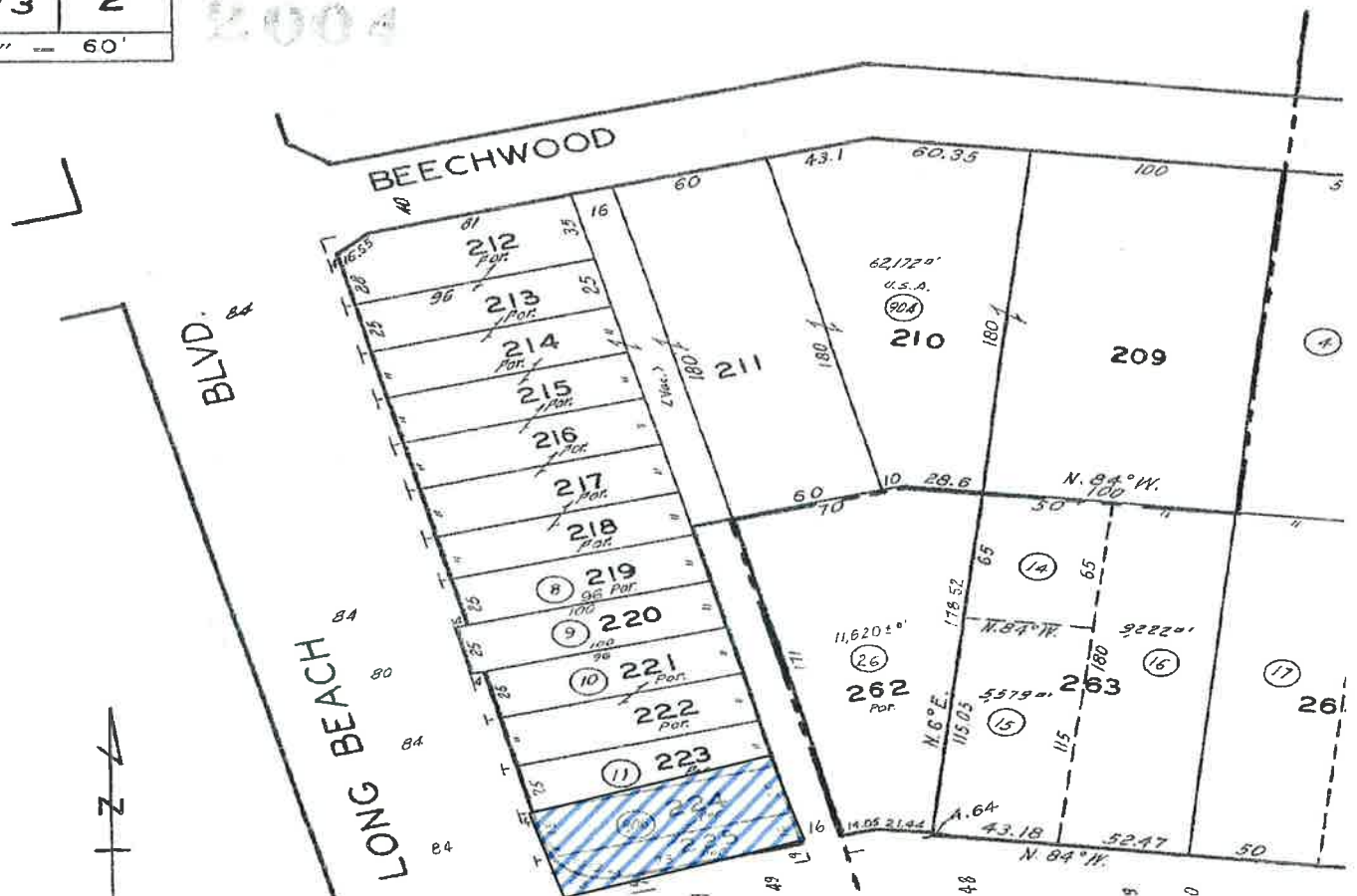
This parcel is proposed to be used to fulfill and enforceable obligation. In the alternative, should the enforceable obligation not move forward, the parcel shall be retained for government use as a free surface public parking lot and eventually as public parking under the proposed Transit Oriented Development Strategic Plan in coordination with Caltrans and the Los Angeles County METRO to be adopted in June 2016.





6173 | 2  
SCALE 1" = 60'

2004



## Imperial & Atlantic

APN# 6193-003-902, 903, 904, 905

- Vacant Land
  - Land-locked city owned property located immediately West of the Atlantic Crossing Shopping Center
  - 19,922 sqft
  - Acquired August 16, 2004



# PROPERTY INFORMATION

## LONG-RANGE PROPERTY MANAGEMENT PLAN

### Property Address

Vacant Landlocked Land adjacent to shopping center in the vicinity of Imperial Highway and Atlantic Boulevard  
Lynwood, California 90262  
More specifically described as four parcels totaling approximately 19,922 square feet abutting the shopping center parking lot and a portion of Lot 14 of Tract 51 bearing APNs 6193-003-902, -903, -904, & -905

### Acquisition Information

Books and records reflect parcels were donated August 16, 2004 to be dedicated for the government use of either public parking, affordable senior housing, or a senior center with services for the aged and infirm, or a combination of all three government uses.

### Purpose Acquired

The four parcels that make up this site were a portion of a site acquired for a shopping center and then donated back to be dedicated for the government uses of public parking, affordable senior housing, or a senior center with services for the aged and infirm, or a combination of all three government uses.

### Parcel Data

APN 6193-003-902, -903, -904, and -905  
0.4573 acres (approximately 19,922 square feet)  
Commercial Parking; zoned LYP1

### Current Value

The parcels are landlocked and vacant and given the donation to the public entity it is rendered without value.

### Lease/rental Income and Contractual Requirements

The parcel generates no revenue. There are no contractual revenue-generating requirements.

### Environmental Contamination

The parcels have been vacant and landlocked for about 11 years. A Phase 1 report has not been prepared nor approved. There is no known history of any prior use that would require further environmental investigation.

### Potential for Transit Oriented Development

The parcels have little present potential for transit oriented development.

### Previous Development Proposals – Existing Leases

The parcels were previously part of the shopping center development but donated to the former Lynwood Redevelopment Agency for dedication as the government use of public parking, affordable senior housing, or a senior center with services for the aged and infirm, or a combination of all uses. There are no other development proposals or leases.

### Proposed Disposition of Property

This parcel is proposed to be used to fulfill the donative intent for government use as a public parking, affordable senior house, or a senior center with services for the aged and infirm, a combination of all three uses. This donation may be viewed as an enforceable obligation. In the alternative, should the enforceable obligation not be so construed, the parcel shall be retained for government use as public parking, affordable senior housing, and a senior center with services for the aged and infirm, or a combination of all three uses.



# Atlantic & Josephine

## APN# 6189-013-900

- Vacant Land
  - City owned property located on the northwest corner of Atlantic & Josephine
  - 10,363 sq. ft.
  - Acquired April 16, 1990

# PROPERTY INFORMATION

## LONG-RANGE PROPERTY MANAGEMENT PLAN

### Property Address

Vacant Land on the northwest corner of Atlantic Avenue and Josephine Street  
Lynwood, California 90262

### Acquisition Information

Parcel was acquired April 16, 1990 at a cost of \$196,500 with other parcels

### Purpose Acquired

Parcel was acquired as a remnant parcel from Caltrans.

### Parcel Data

APN 6189-013-900

0.2379 acres (approximately 10,363 square feet);

Zoned Residential.

### Current Value

This parcel does not generate revenue. It has been vacant and fenced for about 25 years. The parcel abuts the 105 freeway and there are limited comparable sales. The parcel is currently valued at zero because of the continued government use as a city yard for mulch.

### Lease/rental Income and Contractual Requirements

The parcel generates no revenue. There are no contractual revenue-generating requirements.

### Environmental Contamination

The parcel has been vacant with a deteriorated fence for over 25 years. A Phase 1 report has not been prepared nor approved. There is no known history of any prior use that would require further environmental investigation.

### Potential for Transit Oriented Development

While the parcel abuts the 105 freeway there is little potential for transit oriented development.

### Previous Development Proposals – Existing Leases

The property has previously been used as a staging area but there are no concrete development proposals or leases. The government use for the parcel as a mulch area for government purposes has not attracted development proposals.

### Proposed Disposition of Property

This parcel is proposed to be sold to satisfy obligations of the successor agency under Health & Safety Code section 34179.6. In the alternative, should the sale of the property be unworkable following an 18-month listing agreement after requests for proposals from reputable real estate brokers, this parcel is to be retained for future development.






6182 13  
SCALE 1" = 50'

**2001**  
S.R.





# Fernwood (Caltrans)

## APN# 6169-002-908

- Vacant Land
  - Located on the South side of Fernwood Ave between State St. and Beechwood Ave.
  - 33,147 sqft.
  - Acquired September 2008

# PROPERTY INFORMATION

## LONG-RANGE PROPERTY MANAGEMENT PLAN

### Property Address

Vacant Land on Fernwood Avenue between State Street and Beechwood Avenue  
Lynwood, California 90262

### Acquisition Information

Parcel was acquired October 8, 2008 at a cost of \$209,000

### Purpose Acquired

Parcel was acquired as a remnant parcel from Caltrans for the government use of public parking around the parcel.

### Parcel Data

APN 6169-002-908

0.7610 acres (approximately 33,147 square feet);

Not Currently Zoned as it abuts the 105 Freeway

This parcel is within a proposed Transit Oriented Development Strategic Plan coordinated with Caltrans and the Los Angeles County METRO.

### Current Value

The parcel has no value as it is burdened by the adjacent 105 freeway and over 25 years as vacant land with the health and safety hazards of being adjacent and abutting the 105 freeway. This parcel does not generate revenue. The parcel is within the Long Beach Boulevard Specific Plan and the proposed Transit Oriented Development Strategic Plan coordinated with Caltrans and the Los Angeles County METRO. As a result, the parcel is valued at zero and proposed to be dedicated for the government use as public parking.

### Lease/rental Income and Contractual Requirements

The parcel generates no revenue. There are no contractual revenue-generating requirements.

### Environmental Contamination

The parcel has been vacant with a deteriorated fence for over 25 years. A Phase 1 report has not been prepared nor approved. There is no known history of any prior use that would require further environmental investigation.

### Potential for Transit Oriented Development

The parcel is located within a half mile of a transit center. This specific parcel and its environs are conducive to transit oriented development. The nearest potential transit station site is about a half-mile away and there are current strategic plans for transit area village under cooperation Caltrans and the Los Angeles County METRO.

### Previous Development Proposals – Existing Leases

As the parcel is not zoned and to be included in a Transit Oriented Development Strategic Plan in coordination with Caltrans and the Los Angeles County METRO, there are no concrete development proposals or leases. Neighboring property owners have asked for temporary use of the parcel but due to health and safety hazards, it would only be prudent to entertain proposals where the parcel may be paved and abated of the health and safety hazards before entertaining any use by neighboring property owners or any third party.

### Proposed Disposition of Property

This parcel is proposed to be retained for government use as public parking and eventually as continued public parking under the proposed Transit Oriented Development Strategic Plan in coordination with Caltrans and the Los Angeles County METRO to be adopted in June 2016.







# Youth Center

11409 Birch Street  
APN# 6173-007-901, 902

- Youth Center
  - City owned property that is used for youth center
  - 19,440 sq ft combined
  - 901 acquired 3/16/2011
  - 902 acquired 4/22/1943

# PROPERTY INFORMATION

## LONG-RANGE PROPERTY MANAGEMENT PLAN

### Property Address

11409 Birch Street  
Lynwood, California 90262

### Acquisition Information

Parcel was acquired \_\_\_\_\_ at a cost of \$ \_\_\_\_\_

### Purpose Acquired

Parcel was acquired as \_\_\_\_\_.

### Parcel Data

APN 6173-007-901, -902  
0.4463 acres (approximately 19,440 square feet);  
Zoned Government Use.

### Current Value

This parcel does not generate revenue. It is a Youth Center run by the City of Lynwood. The parcel is currently valued at zero because of the continued government use as a City operated Youth Center.

### Lease/rental Income and Contractual Requirements

The parcel generates no revenue. There are no contractual revenue-generating requirements.

### Environmental Contamination

The parcel has no known prior environmental conditions. A Phase 1 report has not been prepared nor approved. There is no known history of any prior use that would require further environmental investigation.

### Potential for Transit Oriented Development

There is little potential for transit oriented development.

### Previous Development Proposals – Existing Leases

The property has no prior development proposals as it has been used as a Youth Center.

### Proposed Disposition of Property

This parcel is proposed to be transferred and dedicated for continued government use as a Youth Center and conveyed to the City of Lynwood.



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## Parking Lot in Shopping Center

10925 Atlantic Avenue  
6193-003-900

- **Parking Lot**

- Acquired: October 31, 1995 for parking at proposed shopping center development.
- Parcel Size: 0.3154 acres (approximately 13,739 square feet)
- Situated in parking lot of Atlantic Crossings Shopping center Located approximately at the Northwest corner of Atlantic Avenue and Imperial Highway, in Lynwood ,CA

# PROPERTY INFORMATION

## LONG-RANGE PROPERTY MANAGEMENT PLAN

### Property Address

10925 Atlantic Avenue  
Lynwood, California 90262

### Acquisition Information

This parcel was acquired October 31, 1995 for a cost of \$225,000 in connection with a proposed shopping center development.

### Purpose Acquired

The parcel was acquired for free inclusion into a shopping center to be developed around the parcel.

### Parcel Data

APN 6193-003-900  
0.3154 acres (approximately 13,739 square feet)  
Commercial; zoned LYC3

### Current Value

The parcel is incorporated as a portion of a parking lot in a shopping center development and encumbered by an enforceable obligation for use and maintenance of a parking lot by the shopping center owner. As a result of this encumbrance, the parcel is of no value and subject to the terms of an enforceable obligation.

### Lease/rental Income and Contractual Requirements

The parcel generates no revenue. There are no contractual revenue-generating requirements.

### Environmental Contamination

The parcel was paved for incorporation into a shopping center and subject to an enforceable obligation for use and maintenance of the parking lot for about 20 years. A Phase 1 report has not been prepared nor approved. There is no known history of any prior use that would require further environmental investigation.

### Potential for Transit Oriented Development

The parcel has little present potential for transit oriented development.

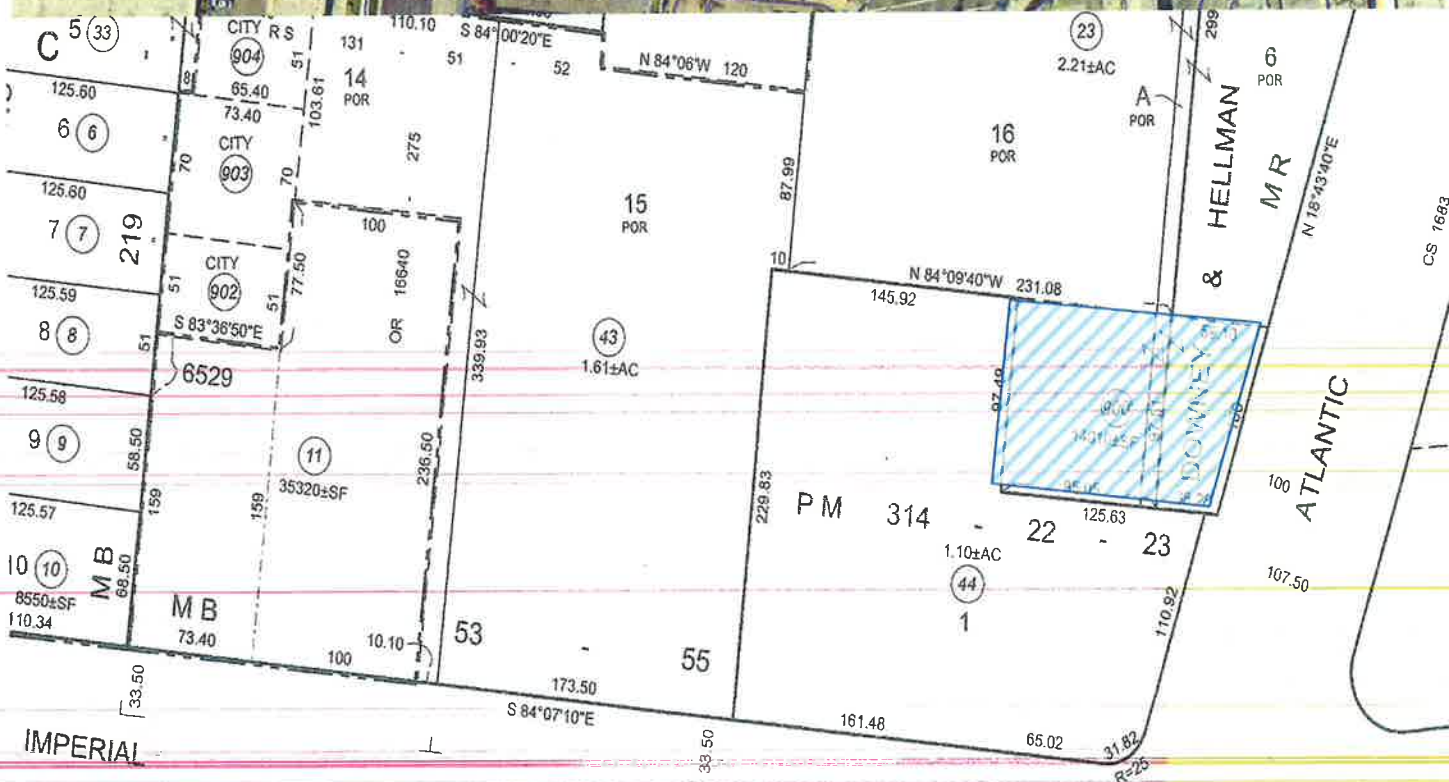
### Previous Development Proposals – Existing Leases

The parcel is part of a shopping center development and subject to an enforceable obligation for the use and operation of the parcel as parking. There are no other development proposals or leases.

### Proposed Disposition of Property

This parcel is proposed to be used to fulfill an enforceable obligation. In the alternative, the parcel shall be retained for government use as public parking.





ALL 900 SERIES PARCELS ON THIS PAGE ARE ASSESSED TO THE LYNWOOD REDEVELOPMENT AGENCY, UNLESS OTHERWISE NOTED.



## PART II: PROPERTY DISPOSITION & USE

The second part of the LRPMP provides the planned use or disposition of each of the properties in the manner described in Health & Safety Code Section 34191.5(c)(2). The following summarizes the four types of permitted disposition/use:

Plan Category	Use/Disposition Purpose of Property	Property Transferee
<b>Enforceable Obligation</b>	Use Consistent with Enforceable Obligation Terms	Designated Enforceable Obligation Recipient
<b>Governmental</b>	Governmental Use in Accordance with Section 34181(a)	Appropriate Public Jurisdiction
<b>Approved Redevelopment Plan Project</b>	Transfer to City for use in a project identified in the Approved Redevelopment Plan. Disposition proceeds to be distributed among Taxing Entities in accordance with a Compensation Agreement	City
<b>Other Liquidation</b>	Sale by Successor Agency to private buyer with proceeds distributed to Taxing Entities	Approved Buyer

### Summary of Plan Category Decision

The relevant “approved redevelopment plan” that identifies the projects for which the properties will be disposed and used consists of:

- ❖ [STAFF TO INSERT AND PROVIDE PROJECT AREA, REDEVELOPMENT PLAN, AND CORRESPONDING DATE(S), NAME(S)—IF DIFFERENT PLANS OR MERGED—AND ORDINANCE(S)]; and
- ❖ The accompanying [STAFF TO INSERT AND PROVIDE IMPLEMENTATION PLAN FOR THE ABOVE] in accordance with the requirements of Health & Safety Code Section 33490.

### Long-Term Planned Use / Disposition of Each Property

As required by Health & Safety Code Section 34191.5(c)(2), the LRPMP identifies that:

- ❖ \_\_\_\_\_ parcels are needed to be retained for purposes of fulfilling an enforceable obligation;
- ❖ \_\_\_\_\_ parcels are dedicated for governmental use purposes;
- ❖ \_\_\_\_\_ parcels are to be retained for future development under the redevelopment plan;

- 
- ❖ \_\_\_\_\_ parcels are to be sold; however, should the sale of the property not be feasible or otherwise achievable, then the property is to be retained for future development as permissible under Health & Safety Code section 34191.5(c)(2).

## **Implementation Steps**

The following summarizes the steps to transfer the properties as government use, or for future development.

### **Government Use**

The Successor Agency, upon approval of this LRPMP, promptly will affect the transfer of the government use properties to the applicable public entity by grant deed or quitclaim deed.

### **For Sale or if not feasible or otherwise unsuccessful, to be Retained for Future Development under Health & Safety Code section 34191.5(c)(2)**

The other \_\_\_\_\_ parcels listed in this category will be further analyzed for proper disposition for third party sales to maximize values. Given the unique nature of the development opportunities and parties approaching the City, the City is likely to negotiate development agreements and the sales of the Successor Agency properties will likely be to third parties with some form of a purchase and sale agreement or similar non-statutory development agreement generated to maximize value for the taxing entities—the City is among the taxing entities. However, if the sales and/or negotiations are not feasible or otherwise unsuccessful, those properties will be retained for future development.

### **Properties to be Retained for Development – Guidelines for Future Development**

Upon transfer pursuant to this LRPMP, as noted above, the City will cause the properties to be developed in accordance with the following principals and guidelines:

1. **Qualified Real Estate Developer.** Each property will be disposed of to a qualified real estate developer (Developer) with the experience and financial capability to timely acquire and develop the property in accordance with an approved Disposition and Development Agreement (DDA) or other type of agreement. The Developer will be selected through an appropriate selection process involving solicitation of interested prospective developers through a request for qualifications (RFQ), Request for Proposals (RFP), qualified bid or similar selection process.
  2. **DDA or Other Type of Agreement.** Each property will be disposed of and developed pursuant to an approved DDA. The purchase price or lease payments to be paid by the Developer of each property under the DDA will equal not less than either the fair market value of the property or the fair reuse value of the property at the use and with covenants and conditions and the development costs authorized pursuant to the DDA, as determined by formal action of the Successor Agency. Among other provisions, each DDA will require the Developer to:
    - a. Meet specified pre-disposition conditions demonstrating its readiness and ability to commence construction;
    - b. Develop the property in accordance with the General Plan and the specific land use entitlements granted by the City; and
-



c. Commence and complete construction of the approved development within specified deadlines.

3. Legislative Body Approval. The Developer, the DDA and any substantial amendment to the DDA for each property will be subject to approval by the City Council at a public meeting duly noticed in accordance with the notices and procedures described in Health and Safety Code Section 33433(a).

While the timing of disposition and development of each property will depend on market conditions and interest of the private real estate development and financing community, it is currently anticipated that such disposition and development may occur generally in accordance with the following process:

Selection of Each Developer

DDA Negotiation / Approval

Satisfaction of Conditions / Property Conveyance

Commencement of Construction

Completion of Construction

Once the properties are transferred to the 3<sup>rd</sup> party, the land sale proceeds will be distributed amongst the Taxing Entities.





# AGENDA STAFF REPORT

DATE: December 1, 2015

TO: Honorable Members of the Board of Directors of the Oversight Board to the Lynwood Redevelopment Agency Successor Agency

PREPARED BY: Amanda Hall, Finance Director for the City of Lynwood, acting as the Lynwood Redevelopment Agency Successor Agency *AH*  
Gustavo Lamanna, Special Counsel

SUBJECT: Request for the Oversight Board to the Lynwood Redevelopment Agency Successor Agency to approve a resolution to provide an installment payment plan for the payment of obligations under AB X1 26, as amended, and request a finding of completion from the California Department of Finance and authorize the Executive Director of the Lynwood Redevelopment Agency Successor Agency, or his designee, to finalize, execute, and transmit the installment payment plan and request for finding of completion under Health & Safety Code sections 34179.6(h)(3) and 34191.1 at least five business days before December 31, 2015.

## Recommendation:

Staff recommends the Board of Directors of the Oversight Board to the Lynwood Redevelopment Agency Successor Agency adopt: **A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OVERSIGHT BOARD TO THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE INSTALLMENT PAYMENT PLAN UNDER HEALTH & SAFETY CODE SECTION 34179.6(H)(3) AND REQUEST FOR FINDING OF COMPLETION UNDER HEALTH & SAFETY CODE SECTION 34191.1 WITHIN THE TIME DEADLINES OF AB X1 26, AS AMENDED, AND SPECIFICALLY SB 107, AND AUTHORIZING THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY EXECUTIVE DIRECTOR, OR HIS DESIGNEE, TO CONTINUE TO NEGOTIATE, FINALIZE, EXECUTE, AND TIMELY TRANSMIT THE INSTALLMENT PLAN AND FINDING OF COMPLETION REQUEST**

## Introduction

Staff recommends that the Members of the Board of Directors of the Oversight Board to the Lynwood Redevelopment Agency Successor Agency (Oversight Board) approve a resolution to provide an installment payment plan for the payment of obligations under AB X1 26, as amended, and request a finding of completion from the California Department of Finance and authorize the Executive Director of the Lynwood Redevelopment Agency Successor Agency (Successor Agency), or his designee, to finalize, execute, and transmit the installment payment plan and request for finding of completion under Health & Safety Code sections 34179.6(h)(3) and 34191.5 at least five business days before December 31, 2015.



**Background:**

Under the redevelopment dissolution statute AB X1 26, as amended, and specifically pursuant to Health & Safety Code sections 34167.5, 34179.6, and 34179.7, the California State Controller and California Department of Finance ordered, imposed, and demanded certain actions and payments from the Successor Agency. Staff has been investigating and negotiating with the California State Controller and California Department of Finance. However, with the passage of SB 107 on September 22, 2015, the Successor Agency accelerated its investigation and negotiation and proposed to provide an installment payment plan under Health & Safety Code section 34179.6(h)(3) (the "Installment Plan") and request a finding of completion under Health & Safety Code section 34191.1 and the postcompliance provisions of Chapter 9 of Part 1.85 of Division 24 of the Health & Safety Code ("FOC Request"). Concurrently with the submittal of the Installment Plan and FOC Request, the Successor Agency proposes a submittal of a long-range property management plan ("LRPMP") which is a separate item. These three items, the Installment Plan, FOC Request, and LRPMP will also be proposed to the Oversight Board to the Successor Agency with a separate request to return of the Youth Center to the City of Lynwood as a government use under Health & Safety Code section 34181(a).

**Discussion & Analysis:**Installment Plan

As noted in the attached form of Installment Plan, approximately \$2,552,857 is reported as due and owing from the Successor Agency under AB X1 26, as amended. Health & Safety Code section 34179.6(h)(3) enables the Successor Agency to enter into an installment payment plan. After some negotiation with the California Department of Finance ("Finance"), staff determined there is merit to continue some negotiation and submit the Installment Plan at least five business days before December 31, 2015 or December 17, 2015 at the latest to allow for Finance to respond accordingly and move forward with implementing AB X1 26, as amended. As part of this resolution, staff is suggesting the Executive Director, or his designee, be given discretion to continue to negotiate the amounts claimed and documents to assure all the interests of the Successor Agency are preserved and protected.

Finding of Completion

Upon satisfactory compliance with AB X1 26, as amended, the Successor Agency may submit a FOC Request. Health & Safety Code section 34191.1, and Chapter 9 of Part 1.85 of Division 24 of the Health & Safety Code, provide significant benefits to the Successor Agency following the issuance of FOC. A successor agency may not request a FOC unless and until it has paid all obligations and request for a finding of completion. The Installment Plan enables the Successor Agency to submit a FOC Request and consider the \$2,552,857 as paid through a statutory installment plan provision under Health & Safety Code section 34179.6(h)(3).

Conclusion

Staff recommends the Oversight Board approve the attached resolution, finalize the Installment Plan and FOC Request, and authorize the Successor Agency Executive Director or his designee to continue to negotiate, finalize, and transmit the Installment Plan and FOC Request accordingly.

Coordinated With: City Attorney, Community Development, Finance Department

Attachments: Exhibit A—Installment Plan, Exhibit B—FOC Request, Exhibit C—Resolution

**OVERSIGHT BOARD RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE OVERSIGHT BOARD TO THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY APPROVING THE INSTALLMENT PAYMENT PLAN UNDER HEALTH & SAFETY CODE SECTION 34179.6(H)(3) AND REQUEST FOR FINDING OF COMPLETION UNDER HEALTH & SAFETY CODE SECTION 34191.1 WITHIN THE TIME DEADLINES OF AB X1 26, AS AMENDED, AND SPECIFICALLY SB 107, AND AUTHORIZING THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY EXECUTIVE DIRECTOR, OR HIS DESIGNEE, TO CONTINUE TO NEGOTIATE, FINALIZE, EXECUTE, AND TIMELY TRANSMIT THE INSTALLMENT PLAN AND FINDING OF COMPLETION REQUEST**

**WHEREAS**, pursuant to Sections 34167.5, 34179.6, and 34179.7 of the Health and Safety Code, the California State Controller's Office and California Department of Finance issued orders, imposed obligations, and demanded payment under the redevelopment dissolution law AB X1 26, as amended, to the Lynwood Redevelopment Agency Successor Agency ("Successor Agency"); and

**WHEREAS**, in conformance with these orders, obligations, and payment demands, under Section 34179.6(h)(3) of the Health and Safety Code, the Successor Agency transmitted and negotiated an installment payment plan ("Installment Plan"); and

**WHEREAS**, Section 34191.1 of the Health and Safety Code and Chapter 9 of Part 1.85 of Division 24 of the Health & Safety Code, set out the postcompliance provisions of AB X1 26, as amended; to reach these postcompliance provisions, the Successor Agency must enter into the Installment Plan and submit a request for a finding of completion ("FOC Request"); and

**WHEREAS**, the Oversight Board to the Successor Agency ("Oversight Board") finds the Installment Plan and FOC Request in the best interest of the affected taxing entities of the Successor Agency, the Successor Agency, the City of Lynwood, and community, and authorizes the Successor Agency Executive Director, or his designee, to continue to negotiate the Installment Plan and submit the FOC Request in sufficient time to receive the FOC before December 31, 2015.

**NOW, THEREFORE, THE OVERSIGHT BOARD DOES HEREBY RESOLVE AS FOLLOWS:**

**Section 1. Recitals.** The Recitals set forth above are true and correct and incorporated herein by reference.

**Section 2. Approval of Installment Plan and FOC Request.** The Oversight Board approves the Installment Plan in substantially the form attached hereto as Exhibit

A and the FOC Request in substantially the form attached hereto as Exhibit B; the Oversight Board further directs the Successor Agency to continue to negotiate, execute, and transmit the Installment Plan and FOC Request; and finally, the Oversight Board authorizes the Executive Director of the Successor Agency, or the Executive Director's designee, to execute and transmit the Installment Plan and FOC Request in such forms negotiated to the satisfaction of the Successor Agency Executive Director or his designee.

**Section 3. Authorization to Make Changes** . The Oversight Board authorizes the Executive Director of the Successor Agency or the Executive Director's designee to make substantive changes as necessary to the Installment Plan and the FOC Request, if required and appropriate, before they are executed and submitted in compliance with AB X1 26, as amended, and take any actions in furtherance of this resolution thereafter as necessary.

**Section 4.** That the Secretary of the Oversight Board to the Lynwood Redevelopment Agency Successor Agency, certify the adoption of this Resolution.

**PASSED, APPROVED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_ 2015.**

\_\_\_\_\_  
Chairperson

**ATTEST:**

\_\_\_\_\_  
Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
David A. Garcia  
General Counsel  
Successor Agency

**STATE OF CALIFORNIA        )**  
**)**  
**COUNTY OF LOS ANGELES    )**

I, the undersigned, as Secretary to the Oversight Board to the Lynwood Redevelopment Agency Successor Agency, do hereby certify that the above and foregoing Resolution was duly adopted by the Oversight Board to the Lynwood Redevelopment Agency Successor Agency at a meeting held in the City Hall of said City on the \_\_\_\_\_ day of \_\_\_\_\_ 2015, and passed by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
Secretary

**INSTALLMENT PAYMENT PLAN**  
**FROM THE LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY**  
**TO THE DIRECTOR OF THE CALIFORNIA DEPARTMENT OF FINANCE**

[Health & Safety Code section 34179.6(h)(3)]

THIS INSTALLMENT PAYMENT PLAN (the "Installment Plan") is submitted by the **LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY**, a public body, corporate and politic, established pursuant to Health & Safety Code section 34173 ("Successor Agency") to **MICHAEL COHEN**, in his capacity as the Director of the Department of Finance, an executive branch of the State of California ("Finance Director") in conformance with Health & Safety Code section 34179.6(h)(3). This Installment Plan is effective and dated as of November 18, 2015 (the "Effective Date").

RECITALS

A. Pursuant to Health & Safety Code section 34183.5(b), the Successor Agency received a demand from the Los Angeles County Auditor-Controller to pay Three Hundred Eighty Two Thousand One Hundred Twelve and 46/100 Dollars (\$382,112.46) on July 12, 2012 (the "True-Up Demand"). As of the Effective Date, the True-Up Demand is due and payable.

B. Pursuant to Health & Safety Code sections 34179.5 and 34179.6, on or about October 1, 2012, the Successor Agency submitted a due diligence report for its low- and moderate-income housing fund ("LMIHF DDR"). As of the Effective Date, the amount owing on the LMIHF DDR is Eighty Seven Thousand Eight Hundred Ninety Eight Dollars (\$87,898) (the "LMIHF DDR Obligation").

C. Pursuant to Health & Safety Code sections 34179.5 and 34179.6, on or about December 13, 2012, the Successor Agency submitted a due diligence report for its other funds and accounts fund ("OFA DDR"). As of the Effective Date, the amount owing on the OFA DDR is Two Million Eighty Two Thousand Eight Hundred Forty Five Dollars (\$2,082,845) (the "OFA DDR Obligation").

D. The OFA DDR Obligation is further divided into a One Million Nine Hundred Eighty Two Thousand Seven Hundred Forty Five Dollar (\$1,982,745) water loan prepayment and One Hundred Thousand One Hundred Dollars (\$100,100) United States Department of Housing and Urban Development section 108 loan repayment.

E. As of the Effective Date, the Successor Agency represents it is not currently feasible to pay the True-Up Demand, LMIHF DDR Obligation, and OFA DDR Obligation and that payment thereof would jeopardize the ability of the Successor Agency to pay enforceable obligations in a timely manner.

F. The Successor Agency submits this Installment Plan to Finance Director in accordance with Health & Safety Code section 34179.6(h)(3) and makes the payments herein conditioned upon two events: first, that the Finance Director authorize the issuance of a finding



of completion under Health & Safety Code section 34179.7 five (5) business days from the approval of the Installment Plan and request for finding of completion which, in any event, shall be prior to December 31, 2015; and second, that the Finance Director approve the long-range property management plan of the Successor Agency ("LRPMP") before December 31, 2015.

G. The Installment Plan is contingent upon continued receipt of certain former tax increment remitted by the County of Los Angeles to the City of Lynwood, as an affected taxing entity ("City ATE"). As of January 23, 2015, the Finance Director reports the City ATE received \$525,482 according to cell D137 in the Excel spreadsheet posted on the Finance Director's website ([http://www.dof.ca.gov/redevelopment/property\\_tax\\_residual\\_distribution/](http://www.dof.ca.gov/redevelopment/property_tax_residual_distribution/)). This reported amount suggests \$175,000 may be available to the City ATE ("Apparent Residual"). The availability of the Apparent Residual is contingent on the implementation of AB X1 26, as amended, and particularly the enforceable obligations posted on the recognized obligation payment schedules of the Successor Agency and potential economic events, including, but not limited to, reversal of Finance Director denied enforceable obligations and other economic events which may impact the City of Lynwood and otherwise require the redirection of available residuals to the City ATE ("Economic Events").

H. On the date the Finance Director approves this Installment Plan (the "Approval Date"), the Successor Agency proposes to make an initial payment towards the obligations hereinabove recited and implement the Installment Plan according to the terms and conditions offered by the Successor Agency and accepted by the Finance Director for the issuance of the finding of completion ("FOC") and approval of the Successor Agency LRPMP.

NOW THEREFORE, the Successor Agency proposes the Installment Plan as follows:

#### SECTION I. PURPOSE OF THE INSTALLMENT PAYMENT PLAN

Purpose: The purpose of this Installment Plan is to confirm the amounts of the True-Up Demand, LMIHF DDR Obligation, and OFA DDR Obligation are due and owing as of the Effective Date and set out an installment payment plan for payment thereof with the understanding and commitment the Finance Director would (1) authorize the issuance of a FOC under Health & Safety Code section 34179.7 within five (5) business days of acceptance of this Installment Plan by Finance Director and submittal of a request for finding of completion by the Successor Agency; and (2) approve the LRPMP.

#### SECTION II. THE INSTALLMENT PLAN PAYMENTS AND DATES

Installment Plan: The Successor Agency promises to pay the True-Up Demand, OFA DDR, and LMIHF DDR in a minimum amount of the Apparent Residuals, so long as there are no Economic Events, according to the installments described in the following chart:

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**Installment Payment Plan Chart**

<b>Obligation</b>	<b>Amount</b>	<b>Date</b>
OFA DDR Obligation - Water Loan Prepayment	\$1,982,745	Eleven (11) annual payments in the amount of the Apparent Residual on the first business day of July of every year after the Approval Date commencing on July 1, 2016 and a final annual payment of \$56,000 or such remaining balance then due on the first business day of July following the twelfth anniversary of the Approval Date.
OFA DDR Obligation - Section 108 Loan	\$100,100	Pay in Full 5 business days after the Approval Date
LMIHF DDR Obligation	\$87,898	Pay in Full 5 business days after the Approval Date
True-Up Demand	\$382,114	Pay in Full 5 business days after the Approval Date
<b>Total</b>	<b>\$2,552,857</b>	<b>\$2,552,857</b>

**SECTION III. MISCELLANEOUS**

1. **Further Cooperation.** The Successor Agency agrees to execute such other instruments, agreements and amendments to documents as may be necessary or appropriate to effectuate the Installment Plan.
2. **Waivers; Amendments.** All waivers of the provisions of this Installment Plan and all amendments hereto must be in writing and signed by the appropriate authorities of the Parties.
3. **Time of the Essence.** Time is of the essence with respect to this Installment Plan.
4. **Authority to Execute.** Successor Agency hereby represents that the persons executing this Installment Plan have full authority to do so and to bind the Successor Agency to perform pursuant to the terms and conditions of this Installment Plan.

IN WITNESS WHEREOF, the Successor Agency submits this Installment Plan to the Finance Director and requests approval. This Installment Plan is dated as of the Effective Date notwithstanding the date besides the Successor Agency, which is the date the Installment Plan was signed.

**LYNWOOD REDEVELOPMENT  
AGENCY SUCCESSOR AGENCY**

Dated: \_\_\_\_\_ By: \_\_\_\_\_

ATTEST

Secretary

\_\_\_\_\_  
Maria Quinonez

APPROVED AS TO FORM AND LEGALITY

General Counsel

\_\_\_\_\_  
David Garcia

Special Counsel

\_\_\_\_\_  
Gustavo Lamanna

APPROVED:

**MICHAEL COHEN**, in his capacity as the  
Director of the California Department of  
Finance

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
                    "Approval Date"                    Name/Title



## FINDING OF COMPLETION VERIFICATION REQUEST FORM

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**Instructions:** Please fill out this form in its entirety to request the Department of Finance (Finance) to provide a finding of completion determination. Upon completion, email a PDF version of this document (including any attachments) to:

[Redevelopment\\_Administration@dof.ca.gov](mailto:Redevelopment_Administration@dof.ca.gov)

The subject line should state "[Agency Name] Finding of Completion Determination Request". Finance will contact the requesting agency upon receipt for any additional information that may be necessary. Questions related to the finding of completion determination process should be directed to (916) 445-1546 or by email to [Redevelopment\\_Administration@dof.ca.gov](mailto:Redevelopment_Administration@dof.ca.gov).

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Pursuant to Health and Safety Code (HSC) Section 34179.7, Finance will issue a finding of completion to the successor agency, within five business days, once the following conditions have been met and verified:

- The successor agency has paid the full amount as determined during the July True-Up process or has paid the full amount upon a final judicial determination of the amounts due and confirmation that those amounts have been paid to the county auditor-controller.
- The successor agency has paid the full amount as determined during the due diligence reviews or has paid a final judicial determination and the county auditor-controller has reported those payments to Finance.

Per HSC 34179.6 (g), the county auditor-controller only provides Finance a report specifying the amount submitted by each successor agency on or around December 1, 2012 and April 20, 2013. Therefore, if an entity wishes to obtain a finding of completion prior to these dates, the successor agency should provide Finance the necessary supporting documentation to substantiate the amounts paid. Without this documentation, Finance has no ability to determine that the successor agency has paid the full amount previously described prior to the county auditor-controller report, and will thus be incapable of issuing a finding of completion prior to the receipt of those reports.

If the payments described previously were submitted subsequent to April 20, 2013, then the successor agency should provide Finance the necessary supporting documentation to substantiate the amounts paid. Without this documentation, Finance has no ability to determine that the successor has paid the full amounts due, and will thus be incapable of issuing a finding of completion.

Documentation may include copies of checks or warrants, evidence of wire transfers, bank statements, written confirmation of payment from the county auditor-controller, and/or a final judicial determination order. If the successor agency is unable to provide sufficient evidence to demonstrate payment, Finance reserves the right to waive review of this request until receipt of the report from the county auditor-controller in April 2013.

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### GENERAL INFORMATION:

Successor Agency Name: **LYNWOOD REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

Date of Request: DECEMBER \_\_\_\_, 2015

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## DETAIL OF REQUEST

### July True-Up Process or Final Judicial Determination

Amount Due: \$382,112.46

Amount Paid: \$382,112.46

Payment Date: December \_\_\_\_, 2015

### Low and Moderate Income Housing Funds Due Diligence Review or Final Judicial Determination

Finance Determination Letter or Final Judicial Determination Date: March 12, 2013

Amount Due: \$733,536

Amount Paid: \$733,536

Payment Date: Various, most recent December \_\_\_\_, 2015

### "Other Funds" Due Diligence Review or Final Judicial Determination

Finance Determination Letter or Final Judicial Determination Date: May 8, 2013

Amount Due: \$2,082,845

Amount Paid: \$2,082,845

Payment Date: Various, most recent Dec \_\_\_\_, 2015 and Installment Payment Plan per HSC 34179.6(h)(3)

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### Agency Contact Information

Name: Amanda Hall

Title: Finance Director

Phone: 310-603-0220 x281

Email: ahall@lynwood.ca.us

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### Department of Finance Local Government Unit Use Only

DETERMINATION OF FINIDING OF COMPLETION STATUS: ☐ APPROVED ☐ DENIED

APPROVED/DENIED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVAL OR DENIAL LETTER PROVIDED: ☐ YES DATE AGENCY NOTIFIED: \_\_\_\_\_